IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

WP(C).No. 4116 of 2007(M)

PETITIONER:

T.K.SAGUL,
RESERVE INSPECTOR OF POLICE,
DISTRICT ARMED RESERVE, THRISSUR.

BY ADV. SRI.KRB.KAIMAL (SR.)
SRI.B.UNNIKRISHNA KAIMAL
SRI.V.MADHUSUDHANAN

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE HOME SECRETARY, GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPARTMENTAL PROMOTION COMMITTEE
(HIGHER), REPRESENTED BY ITS CONVENER - HOME
SECRETARY TO GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

3. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 4116 of 2007

Dated this the 7th day of February, 2007

JUDGMENT

The petitioner is working as Reserve Inspector of Police, District Armed Reserve, Thrissur. Disciplinary proceedings initiated against him have been dropped and the period of suspension regularised as duty for all purposes except pay and allowances. During the pendency of the disciplinary proceedings, his right to promotion to the next higher category was overlooked. The Departmental Promotion Committee(higher) did not select him for appointment to the post of Reserve Inspectors for the year 1999 prepared for filling up vacancies for the year 2000. It is the case of the petitioner that had no disciplinary proceedings been pending against him, he would have been considered and that having regard to his confidential reports and other relevant records, he would have been included in the select list for the year 1999 prepared for filling the vacancies for the

year 2000 in between one Sri.Chandramohanan and Sri.N.Babu. The request made by the petitioner to assign him appropriate rank in the seniority list is pending consideration before the first respondent. Counsel for the petitioner submits that Ext.P8 representation filed by the petitioner through proper channel requires immediate consideration and disposal at the hands of the first respondent.

2. Heard Government Pleader also.

3. Having regard to the facts and circumstances stated above, it is necessary in the interest of justice that the first respondent takes up for consideration Ext.P8, passes appropriate orders and communicates the same to the petitioner within six weeks from the date of receipt of a copy of the judgment. The Departmental Promotion Committee(Higher) shall be convened for granting such reliefs as the petitioner deserves under the statutory rules. The same shall be done without delay and final decision taken within one month from the date of the government order disposing of Ext.P8.

The petitioner shall produce a copy of the judgment and a

copy of the writ petition before the first respondent for necessary action.

The writ petition is disposed of as above.

K.K.DENESAN, JUDGE

CSS

K.K.DENESAN, J

W.P.(C)NO. of 2007

Dated this the 7th day of February, 2007

JUDGMENT

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K.K.DENESAN, JUDGE

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